

**TOWN OF DIGHTON
BOARDS OF SELECTMEN
JULY 31, 2013**

Dean V. Cronin called the meeting to order at 7:34 PM.

Present: Dean V. Cronin, Thomas J. Pires and Patrick W. Menges

The pledge of allegiance was recited.

Chairman Cronin announced that the Board of Health will establish a regular monthly meeting, separate from the Board of Selectmen meetings, the first Wednesday each month effective August 14, 2013. Motion: Patrick W. Menges, seconded: Dean V. Cronin VOTED to establish a regular monthly Board of Health meeting the first (1st) Wednesday each month at 7:00 PM.

Town Clerk, Susana Medeiros, presented a Certificate of Appreciation to Roberta Perry for serving over twenty years as an election worker. In addition, State Representative Patricia Haddad also presented a Certification of Appreciation. In response, Mrs. Perry thanked everyone for their support of her upcoming retirement and she plans on keeping her feet on the ground and just keep going.

Veterans Agent, John (Jack) Taylor, noted that after 67 years Donald French's name plaque has been added to the World War II Role of Honor Memorial Board recognizing his years of service as a United States Marine. In addition, Building Commissioner, James D. Aguiar, Jr., presented an engraved clock recognizing Mr. French's retirement after 46 years of employment as the Town's Plumbing and Gas Inspector. Also, Scott O'Brien from the Town of Somerset presented a Certificate of Appreciation. Mr. French noted he was moved by the presentation and thanked everyone for their well wishes and support.

Alan Phillips of Massachusetts Emergency Management Agency (MEMA), re: Statewide Mutual Aid Presentation

Alan Phillips, MEMA Operations Manager, appeared before the Board with a presentation relative to MGL Ch. 40, Section 4J: Statewide Public Safety Mutual Aid Law that was enacted earlier in 2010. The Opt-in Mutual Aid Agreement provides, fire service, law enforcement, emergency medical services, transportation, communications, public works, engineering, building inspection, planning and information assistance, resource support, public health, health and medical services, search and rescue assistance and any other resource, equipment or personnel that a party to the agreement may request or provide in anticipation of, or in response to, a public safety incident.

In addition, Mr. Phillips also presented MGL Ch. 40, Section 4K: Statewide Public Works Municipal Mutual Aid law that provides services related to public works, personnel, equipment, supplies and facilities to prepare for, prevent, mitigate, respond to and recover from public work incidents.

With the enactment of the Public Safety and Public Works mutual aid laws, the Commonwealth has comprehensive multi-discipline mutual aid statutes that provide a system for towns impacted/overwhelmed by a public safety incident or disaster to ask for and receive assistance from municipalities that may have resources to share. In addition, the new Public Works mutual aid law allows communities to share public works resources in support of every day, non-emergency work. The requesting party shall be responsible for the overall operation, assignment and deployment of resources and personnel provided by the sending party. The sending party shall retain direct supervision, command and control of personnel, equipment and resources provided and shall pay all expenses, including salary and overtime, incurred by the sending party. Based on documented costs of providing mutual aid assistance, its pro rata share of the disaster assistance reimbursement may be applicable under federal and state disaster assistance programs.

It was noted that each jurisdiction is permitted to withhold requested resources to the extent necessary to provide reasonable protection and coverage for its own jurisdiction or if it does not wish to bear the expense of providing mutual aid. Further, opting in to the mutual aid agreements does not affect, supersede or invalidate any other statutory or contractual mutual aid or assistance agreements.

Motion: Thomas J. Pires, seconded: Patrick W. Menges VOTED to Opt-In to the Statewide Public Safety Mutual Aid Agreement MGL Ch. 40, Sec. 4J and the Statewide Public Works Municipal Mutual Aid Agreement MGL Ch. 40, Sec. 4K.

Vote: UNANIMOUS

Approval of Minutes

Motion: Patrick W. Menges, seconded: Thomas J. Pires VOTED to approve the meeting minutes of July 16, 2013 – Backhoe Bid Opening and Center Street Sewer Pumping Stations.

Vote: UNANIMOUS

Motion: Patrick W. Menges, seconded: Dean V. Cronin VOTED to approve the meeting minutes of July 16, 2013 – Executive Session.

Vote: UNANIMOUS

Motion: Patrick W. Menges, seconded: Dean V. Cronin VOTED to approve the meeting minutes of July 17, 2013 – Regular Meeting.

Vote: UNANIMOUS

Motion: Patrick W. Menges, seconded: Dean V. Cronin VOTED to approve the meeting minutes of July 17, 2013 – Executive Session.

Vote: UNANIMOUS

Motion: Patrick W. Menges, seconded: Thomas J. Pires VOTED to approve the meeting minutes of July 23, 2013 – Executive Session.

Vote: UNANIMOUS

Motion: Patrick W. Menges, seconded: Thomas J. Pires VOTED to approve the meeting minutes of July 24, 2013 – Executive Session.

Vote: UNANIMOUS

Motion: Patrick W. Menges, seconded: Thomas J. Pires VOTED to approve the meeting minutes of July 25, 2013 – Meeting with Animal Control Officer.

Vote: UNANIMOUS

Motion: Patrick W. Menges, seconded: Thomas J. Pires VOTED to approve the meeting minutes of July 30, 2013 – Meeting with Police Chief and High School Principal.

Vote: UNANIMOUS

Approve Warrants

Motion: Thomas J. Pires, seconded: Patrick W. Menges, VOTED to approve the following warrants:

Warrant #05A-14	Payroll	\$	66,601.72
Warrant #05B-14	Vendor bills	\$	127,142.59

Vote: UNANIMOUS

Expenditure Detail

NONE

Gary Silva, Silva Farms, Tremont Street re: Hearing for Retail Store Permit

Gary Silva appeared before the Board seeking to obtain a Retail Store Permit for his Silva Farms store front located on Tremont Street. The Board denied Mr. Silva's application for a Retail Store Permit due to real estate tax arrearages.

Mr. Silva noted that the original business of dried flowers no longer generates enough of an income resulting in financial hardship. Thereby, Mr. Silva noted that he is currently working with the state in signing up as an Agritourism site, as well as, converting the 52x180 barn to have a farm stand, Christmas shop and provide landscaping services. Mr. Silva currently has 4 lots for sale and proceeds from sale should satisfy the arrearages. Therefore, Mr. Silva is requesting the Board to rescind their decision not issue a Retail Store Permit.

Building Commissioner, James D. Aguiar, Jr., noted that prior to release of any permit demolition plans for the dilapidated home located on the property should be submitted. The Board determined that prior to approval of a Retail Store Permit, an agreement and suitable payment for the real estate taxes should be paid.

Motion: Patrick W. Menges, seconded: Thomas J. Pires VOTED to take the matter under advisement until an agreement with the Tax Collector is reached, proof of payment is made and definitive plans with a time table for the demolition of the decayed home is submitted.

Vote: UNANIMOUS

Correspondence

Massachusetts Emergency Management Agency (MEMA) announced that a Cape Cod Emergency Traffic Plan (CCETP) has been developed to facilitate egress of the high volume of traffic from Cape Cod in the event of a hurricane. The CCETP may be obtained on the MEMA website at www.mass.gov/mema.

The Board would like to advise residents that the Pan Mass Challenge will be cycling through town on Saturday, August 3rd between the hours of 9AM to 3PM. Please show support and respect by being patient and extending courtesy to the cyclists.

The Board would like to extend their gratitude to the newly assigned reporter, Jack Wagner for recent publications relative to the Dighton in the Taunton Daily Gazette.

The Board read food recalls from the following: Zip International Group, Gold Star Smoked Fish Corp, Ferrara Candy, Herbal Give Care, LLC, Olam Tomato Processors, Inc.

The Board read an advisory from the MA Department Public Health to monitor restaurants and retail shellfish dealers to assure oysters have been obtained from an approved source. Recently, large numbers of oysters have been stolen from oyster growing sites located in the Town of Dennis in Cape Cod.

Announcements were read.

Review/Discuss/Act: Award Backhoe Bid for Highway Department

The Board received four bids for a backhoe and said bids were reviewed by Highway Superintendent, Thomas Ferry and his recommendation was read. It was noted that typically bids are awarded to the lowest bidder, however, not all bids met the required specifications. It was also noted, that funding for the purchase will be obtained through the Chapter 90 funds. Motion: Patrick W. Menges, seconded Thomas J. Pires: VOTED to award the John Deere 410 k Backhoe for the Highway Department be awarded to Schmidt Equipment, Inc. in the amount of \$115,300.00.

Vote: UNANIMOUS

Review/Discuss/Act: Sale of 401 Spring Street

Because the property located at 401 Spring Street did not sell at the land auction held last month, it has been advised that in the best interest of the Town, the property should be sold through a sealed bid process. Building Commissioner, James D. Aguiar, Jr., recommends a minimum bid of \$7,500.00 and proposes a 5% buyers premium. Motion: Thomas J. Pires, seconded: Patrick W. Menges VOTED to sell 401 Spring Street through a sealed bid process.

Vote: UNANIMOUS

Review/Discuss/Act: Locality Domain Name Registration Contract

Administrative Assistant Kerrie Easterday presented a Locality Domain Name Registration Contract from Terminal Exchange in an effort to obtain a ".gov" domain site. Said recommendation comes as a new email server is being installed, wherein, various email accounts can be established on a more secure site. Patrick Menges noted that if restrictions are placed on volunteers (i.e., requiring a town email vs. the volunteer's personal email) the Town could see a lack of public participation. Motion: Thomas J. Pires, seconded: Patrick W. Menges VOTED to approve the Locality Domain Names Registration Contract.

Vote: UNANIMOUS

Review/Discuss/Act: Disaster Committee Appointment(s)

Motion: Patrick W. Menges, seconded: Thomas J. Pires VOTED to appoint Edward Dutra as member to the Disaster Committee.

Vote: UNANIMOUS

Motion: Patrick W. Menges, seconded: Thomas J. Pires VOTED to appoint Thomas Ferry as member to the Disaster Committee.

Vote: UNANIMOUS

Review/Discuss/Act: Accept Memorandum of Agreement to Highway Union Contract

The Board received and reviewed a Memorandum of Agreement between the Town of Dighton and AFSCME Local 1701-Dighton Highway Employees stating that the Town may use part-time help, provided that a minimum of six full-time Highway Department Employees is maintained and that in the event of layoffs, all part-time help shall be laid off first. Motion: Patrick W. Menges, seconded Thomas Pires VOTED to approve the Memorandum of Agreement as presented.

Vote: UNANIMOUS

Public Input

The Board thanked all who donate their time and talents for their volunteer services and for those who came to celebrate two long standing employees.

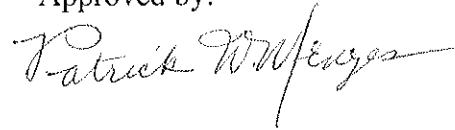
Adjournment

Motion: Thomas J. Pires, seconded: Patrick W. Menges VOTED to adjourn at 9:37 PM.

Vote: UNANIMOUS

Respectfully submitted,
Boards of Selectmen/Health
Kerrie J Easterday, Administrative Assistant

Approved by:

A handwritten signature in cursive script, appearing to read "Patrick W. Menges", written in black ink.